

**PROCEEDINGS OF THE
WASHINGTON STATE BOUNDARY REVIEW BOARD
FOR KING COUNTY**

RESOLUTION AND HEARING DECISION

**IN RE: CITY OF ISSAQUAH FILE NO. 2114
Providence Point/Hans Jensen
Proposed Annexation
King County, Washington**

A Notice of Intention was submitted on October 10 by the City of Issaquah to the Washington State Boundary Review Board. The Notice of Intention (Boundary Review Board File No. 2114) proposed that the City of Issaquah annex a certain 414-acre portion of territory with the boundaries of City of Issaquah's Potential Annexation Area.

The territory proposed for annexation includes Providence Point at 242 acres and the Hans Jensen properties at 172 acres. Providence Point includes 1104 multi-family/group housing residential units: Trinity Lutheran Campus; LOMA Retreat, Bellewood Residential Community, Marianwood Residential Community and a medical office campus. Hans Jensen includes three single-family units; Lake Sammamish Park; Hans Jensen Campgrounds; and campground offices. The Providence Point/ Hans Jensen Area is located on the northern edge of the City of Issaquah. Lake Sammamish and Peregrine Point Way SE (City of Sammamish boundary line) generally border the site on the west side. It is generally on the south side of the City of Issaquah, the City of Sammamish and Sammamish State Park. It is generally bordered on the east by 228th Avenue SE (City of Sammamish boundary line). The City of Sammamish forms the northern border of the site.

The Notice of Intention for the Providence Point/Hans Jensen Annexation is based upon an annexation petition from citizens of the area. Petitioners are seeking annexation in order to achieve local governance and to receive public services from the City of Issaquah. When the City receives a valid petition, City officials are required to submit an annexation application to the Boundary Review Board.

The City of Sammamish timely provided written notice to invoke jurisdiction to oppose the Providence Point/Hans Jensen Annexation. King County confirmed that this petition was sufficient to call for a public hearing.

Legal notice having been duly given, a hearing to review the proposed action was held on January 15, 2002 before a quorum of the Boundary Review Board.

On the basis of the testimony, evidence and exhibits presented at said hearing, and the matters on file in said **File No. 2114**, it is the decision of the Board that the action proposed in said **Notice of Intention** be, and the same is hereby **approved** as proposed by City of Issaquah. The legal description of the annexation area is attached hereto and marked as "Exhibit A", together with a map showing the Boundaries of the area herein marked as "Exhibit B".

In reaching this decision, the Board has considered RCW 36.93. (Local Governments - Boundaries - Review Boards), with particular attention to RCW 36.93.170 (Factors) and RCW 36.93.180 (Objective) in accord with the mandate of State of Washington. As further required by the State of Washington, the Board has also considered RCW 36.70.A., the Growth Management, the King County Comprehensive Plan, and review of the annexation under the State Environmental Policy Act (WAC-197-11). The Board's responsibility is to determine which specific policies and guidelines are applicable to the proposed annexation, balance these elements, and then take the action to best advance those applicable elements.

Material provided in the record for File 2114 include, but may not be limited to:

City of Issaquah: Application materials; technical studies; fiscal studies; regulatory analyses; exhibits; statements in response to opponents; submittals; supplementary documents; testimony by representatives of the City of Issaquah.
City of Sammamish: Response to application materials; exhibits; supplementary documents; testimony by representatives of opponents.
Public Agencies/Private Organization/Individual Citizens: Correspondence; exhibits; technical study data; testimony.

The Boundary Review Board has reviewed the record for File No. 2114. The Board considered two options for this application, as follows: **The City of Issaquah:** proposal for annexation of the Providence Point/Hans Jensen Area, at 414 acres, including Providence Point properties, Han Jensen properties, Bellewood, Marianwood, Trinity Lutheran College, LOMA Conference Center, and medical offices. **The City of Sammamish:** proposal to modify the annexation boundaries to limit annexation to the Providence Point properties and the Hans Jensen properties. Bellewood, Marianwood, Trinity Lutheran College, LOMA Conference Center, and medical buildings would be excluded from this modified annexation.

The Board evaluated File No. 2114 with respect to the following criteria:

FACTORS AFFECTING THIS PROPOSAL

The Boundary Review Board has considered the many factors prescribed in RCW 36.93.170. The Board finds the following Factors to be applicable to the

City of Issaquah's initially proposed annexation and to the modified annexation boundaries proposed by the City of Sammamish.

POPULATION AND TERRITORY:

RCW 36.93.170(1) directs the Board to evaluate issues related to Population and Territory. For File No. 2114, the Board considered the following issues to be applicable: land area and land uses; comprehensive plans; topography, natural boundaries and drainage basins; the likelihood of significant growth in the area during the next ten years. A brief review of key issues related to each applicable element is presented below.

Population Density/Proximity to Other Populated Areas/Land Area/Land Uses:

The Providence Point/Hans Potential Area, at 414 acres, is established for annexation in the Issaquah Comprehensive Plan "Annexation Element". The entire Annexation Area is located adjacent to the City of Issaquah. It is described as urban land by state regional and local regulations.

The Providence Point Area includes residential development: Providence Point, Bellewood and Marianwood. These lands are fully developed with approximately 1104 residential units. The population of Providence Point is approximately 1435 persons. The Providence Point Area also includes community uses such as Trinity Lutheran Campus, LOMA Retreat Center, and medical offices. These properties can accommodate additional development or redevelopment.

The Hans Jensen Area has residential population of eight persons. This area includes portions of Lake Sammamish State Park, the Hans Jensen Campgrounds and offices. The properties are variously designated for residential uses and open public space. In the residential areas, lands is available for development.

The City of Issaquah reported that the proposed Providence Point/Hans Jensen Annexation addresses and protects the demographic base, land area, land uses, and land densities consistent with RCW 36.93 (Boundary Review Board Act), the State Growth Management Act (RCW 36.70A), King County's Comprehensive Plan, Issaquah's Comprehensive Plan, and other applicable state and regional regulations.

More specifically, the Providence Point Area is currently designated for moderate-density residential development and for office uses. The Hans Jensen Area includes lands currently designated for low-density residential use and lands designated for public open space. Following annexation, the City plans provide land use designation and zoning designation that will be similar to the existing land use and zoning designations for both Providence Point Area and

the Hans Jensen Area. The primary purpose for annexation is to ensure the new development is consistent within the Providence Point and Hans Jensen Area and that such development is coordinated with development in nearby areas.

Sammamish officials, speaking in opposition to the action, reported that annexation at this time could be inconsistent with area land use and population characteristics. City officials are uncertain whether Issaquah's plans for future land uses, public facilities and service programs will be greater benefit to citizens than the City of Sammamish's pending plans and programs. Reportedly, annexation to Issaquah could facilitate more dense land development place a burden on public services and facilities, and thereby reduce the quality of life in the community.

Limiting the annexation to the Providence Point residence and Hans Jensen properties would offer some citizens opportunities to be a part of the City. Development standards for those areas would be compatible with standards provided for Issaquah citizens. However, benefits would be available only to the residents within the annexed areas. The remaining properties would continue to be governed by King County. Annexation of the entire 414 acre Providence Point/Hans Jensen Area would provide the most effective land use planning throughout the entire Annexation Area and link this Area to the existing City.

City of Sammamish representatives and community members opposing the Issaquah proposal stated that some provisions of the State Growth Management Act and the King County Comprehensive Plan support the proposed annexation. However, those speakers reported that other provisions of the Growth Management Act support delay of the annexation. Speakers contended that annexation at this time is premature. Rather, speakers believe that citizens must have an opportunity to choose annexation to the city which offers the Plan that will best serve the population and best address the characteristics of the territory. Until Sammamish has a Comprehensive Plan available to compare to Issaquah's existing Comprehensive Plan, citizens are unable to make an informed choice concerning annexation preferences. Until Sammamish's Comprehensive Plan is approved, speakers report that annexation is untimely.

Community members supporting the annexation reported that a substantial majority of citizens have confirmed that they favor annexation to Issaquah at this time. Annexation would immediately benefit the community. With annexation, citizens could participate in local governance. Following annexation Issaquah can ensure that the area is developed and served under established guidelines and regulations. Community amenities and services would be immediately available to citizens.

COMPREHENSIVE LAND USE PLAN

KING COUNTY: RCW 36.93.157 requires the Boundary Review Board to consider action in relationship to the King County Comprehensive Plan/Countywide Policies. The County Plan, adopted in response to Growth Management Act (GMA), includes goals and policies that address land uses and public services.

More specifically with respect to land use, the record for File No. 2114 reports that the proposed Providence Point/Hans Jensen Area annexation is consistent with various County Comprehensive Plan/Countywide Policies. For example, King County Policy LU-31 requires cities to designate potential annexation areas to include adjacent lands and to eliminate unincorporated islands between cities. Policy LU-32 call upon cities to incorporate lands within annexation areas into city boundaries

With respect to public services the record for File 2114 reports that the proposed Providence Point/Hans Jensen annexation is consistent with various applicable County Comprehensive Plan/Countywide Policies. Limiting the annexation, as proposed by the City of Sammamish, would be less consistent with the King County Plan. For example, Goal FW-12 calls for provision of adequate services and facilities for development. FW-13 states that cities are the appropriate provider of local urban services to Urban Areas. FW-29 and FW-30 address the need for jurisdictions to plan for and coordinate services. Numerous King County/Countywide Policies are also relevant, including, but not limited to those policies that address requirements for urban services. For example, U-304 states that annexation should be supported for lands where the annexing city is able to plan for and serve these areas. Further, annexation is appropriate under Countywide Policy CO-1, when a jurisdiction has "identified and planned for (a) full range of urban services". (Please also see: Consistency with Growth Management Act - page 14).

CITY OF ISSAQUAH: The City of Issaquah Comprehensive Plan, also adopted as prescribed by the Growth Management Act, includes the Providence Point/Hans Jensen Area in its Potential Annexation Area. The Plan establishes goals and policies that provide the basis for annexation, land use decisions and for public services in this community.

The City of Issaquah reports that the annexation is consistent with the King County Comprehensive Plan/Countywide Planning Policies. For example, the Providence Point/Hans Jensen Annexation is reported to address King County policies that call for contiguous orderly growth. More specifically, the proposed action would be consistent with King County Comprehensive Plan/Countywide Planning Policies including those directing the County to:

U-201: Work with jurisdictions to support annexations/focus growth within municipal boundaries.

U-205: Concentrate facilities and services within the Urban Growth Area.

RP-401: Focus countywide growth within city boundaries; support annexations within the Urban growth area when consistent with the King County Comprehensive Plan.

Limiting the annexation, as proposed by the City Sammamish, would be less compatible than the initial Providence Point/Hans Jensen Area with the policies established in the King County Plan or the City of Issaquah's Comprehensive Plan.

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Issaquah representatives reported that the King County Comprehensive Plan designated the lands in the Providence Point/Hans Jensen Area for residential uses, commercial uses, public open space and vacant lands. The Issaquah Comprehensive Plan proposes future land designations and uses that are similar to the current designations and uses. Designations are intended to ensure that development that addresses the characteristics of the land and the environment. This plan is also consistent with citizen preferences for future uses in the Area.

City of Sammamish representatives and citizens opposing annexation stated that a substantial number of property owners within the proposed Providence Point/Hans Jensen Area do not wish to annex to Issaquah at this time. They wish to be able to consider annexation both Issaquah and to Sammamish. This comparative analysis must await the completion of Sammamish's pending comprehensive plan. City representatives and some of the citizens testifying in opposition to the annexation contended that Issaquah may not have adequate plans or resources to meet the Comprehensive Plan policies that call for the City to develop and serve the area. There was testimony that laws (e.g., Comprehensive Plans, Growth Management Act) encourage, but do not mandate annexation, unless there is a compelling reason to do so. There is not overriding public purpose to require annexation at this time. Public opinion should be recognized in considering annexation boundaries and the schedule for annexation.

Community members supporting the annexation reported that this action is consistent with the intent of comprehensive planning for land annexations. Speakers testified as to their preference for joining Issaquah in order to participate in the land use planning and services planning efforts for the Providence Point/Hans Jensen Area.

TOPOGRAPHY, NATURAL BOUNDARIES AND DRAINAGE BASINS:

The record for File No. 2114 addresses natural features and boundaries. Diverse topography and natural boundaries characterize the 414-acre Providence Point/Hans Jensen Area. For example, the Annexation Area include both the essentially level lands with mild to substantial slopes. The topography of the

Annexation Area is generally similar to the topography of the City of Issaquah. Both the City and the Annexation Area are bounded, in part, by Lake Sammamish.

Annexation would effect legal boundary lines rather than topographic boundaries. Annexation would not alter the natural features of the Providence Point/Hans Jensen Area. Annexation of the 414-acre Providence Point/Hans Jensen Area would enable Issaquah to plan for coordinated development and to provide consolidated public facilities and services to protect the environment within the Annexation Area. Annexation of more limited area, as proposed by the City of Sammamish, would necessitate the creation of incremental land use and services standards; incremental standards offer less protection to natural features of a community.

City of Sammamish representatives and community members opposing annexation contended that the proposed annexation may be inconsistent with the Growth Management Act mandate for orderly growth. Similarly, annexation may be inconsistent with King County Comprehensive Plan policies for protection of the natural environment. Some speakers contended that the annexation purportedly violates the intent of these standards because, following annexation, new development could be permitted. Some speakers testified that new development, with attendant public facilities and services, could be destructive to the natural environment and the built environments.

Community members favoring the annexation believe that the action would not change or negatively affect are topography or other natural features. Local standards for land use development and for services could control growth and protect environmental integrity.

LIKELIHOOD OF SIGNIFICANT GROWTH IN THE AREA DURING THE NEXT TEN YEARS: The record for File 2114 anticipates that the Providence Point/Hans Jensen Area will experience modest growth over the next ten years. While considerable viable residential development exists here, the area includes lands available for new development and for redevelopment with permitted residential or commercial uses. Issaquah staff report that City will assign land use designations and zones to the Area that are similar to those designations and uses existing at this time under the King County Plan. The City would also establish land use standards for the Area. Annexation of Providence Point/Hans Jensen Area would provide the greatest opportunity for overall coordination and control of new development.

Mr. Thomas (King County) also predicted that growth would occur in the area. Providence Point/Hans Jensen is defined as an urban under state, regional and local plans. These guidelines encourage growth in urban areas. Mr. Thomas concurred that new development in the Providence Point/Hans Jensen Area

should be subject to City regulations to ensure orderly growth and enhance a sense of community.

City of Sammamish representatives and community members objecting to the action reported that new development would be encouraged with annexation. There was testimony the higher density levels and reduced development standards could prevail. These opponents contended that more residents would, in turn, require more services and facilities (e.g., roadways, schools) that will lead to increased congestion and greater use of limited resources. Several speakers stated that Sammamish would be likely to provide better development standards and services programs for the Providence Point/Hans Jensen properties.

Community members favoring annexation of their properties into Issaquah stated that this action would enable existing new residents to be safe and live in reasonable comfort. Some new development would likely occur here. However, Issaquah provides land use and environmental protection regulations that will provide greater protection for the quality of life in the area that is available from King County. As Sammamish does not have Comprehensive Plan or local development program in place, it is not possible to determine how that community would serve and protect Providence Point/Hans Jensen properties.

MUNICIPAL SERVICES:

RCW 36.93.170(2) directs the Board to evaluate issues related to Municipal Services. For File No. 2114, the Board considered the following issues to be applicable: need for municipal services, effects of ordinances, governmental codes, regulations, codes, regulations and resolutions on existing uses; present cost and adequacy of governmental services and controls in areas; probable future need for such services; costs; effect on the finances, debt structure and contractual obligations; and rights of all affected governmental units. Following is a brief review of key issues related to each applicable element.

CURRENT NEED FOR MUNICIPAL SERVICES: PROBABLE FUTURE NEEDS FOR SERVICES AND CONTROLS:

File No. 2114 records reports that the City of Issaquah has determined the present and future needs for municipal services to the Providence Point/Hans Jensen Area. The City's Comprehensive Plan establishes Issaquah as the service provider for the Area. The City has planned to support public services (e.g., emergency services, infrastructure, water, sewers, schools, parks and libraries) to existing land uses and to future permitted development.

The City can ensure more efficient provision of services and facilities if essential systems are coordinated for the entire Providence Point/Hans Jensen Area. This commitment to provide full services reflects regulatory guidelines (e.g., RCW 36.70A0 and citizen's preferences for the convenience of having Issaquah as the

governing authority for services and facilities. Reduction of the annexation area or denial of the annexation would reduce the effectiveness of programs for developing facilities and providing services.

Mr. Thomas supported the position of the City of Issaquah that annexation would be timely to address existing and potential future municipal services requirements. Further, the Annexation Area would be better served by the City of Issaquah than by King County. On this basis, King County supports annexation of the entire Providence Point/Hans Jensen Area.

City of Sammamish representatives and community members opposing annexation reported that the Annexation Area is currently receiving satisfactory public services. Speakers reported, for example, that the Sammamish Water and Sewer District serves the area. Eastside Fire and Rescue provides emergency services. Speakers contended that there are not police service problems. Speakers opposing the annexation reported that new services are unnecessary and changes to services could be costly. Those speakers testifying in opposition to the proposed action stated that annexation to receive public services through the City of Issaquah is, therefore, not a valid justification for this proposed action.

Citizens favoring annexation prefer having the City of Issaquah coordinate services and facilities. Services would be more reliable. Citizens can participate in planning for provision of services. Citizens will have a voice in setting fees and taxation rates for services.

EFFECT OF ORDINANCES, GOVERNMENTAL CODES, REGULATION AND RESOLUTION ON EXISTING SERVICES: Authorities applicable to the Providence Point/Hans Jensen Annexation include, but are not limited to RCW 36.93, RCW 36.70A, RCW 35.13, King County Comprehensive Plan/Countywide Policies, Issaquah Comprehensive Plan and enabling regulations (e.g., Zoning Code). State and local authorities and intended to ensure reasonable development regulations and adequate public services to local communities.

Issaquah representatives and King County staff concur that state, regional, and local legal guidelines support the annexation of Providence Point/Hans Jensen. For example, the King County Comprehensive Plan and the Issaquah Plan establish policies and standards calling for coordination land uses and provision of services and facilities in conjunction with an annexation. The Providence Point/Hans Jensen Annexation would allow the City to provide citizens with a voice to guide community growth and to ensure the seamless provision of services.

City of Sammamish representatives and community members opposing annexation contend that a statutory reason (e.g., a documented immediate problem to solve) is required to warrant immediate annexation in instances when

citizens do not support action to join the City. These speakers contended that no statutory justification exists for annexation as no emergency exists.

Community members supporting annexation cited provisions of RCW 36.70A, the County Comprehensive plan, and Issaquah Plans and regulations as supporting the annexation to permit coordinated services and infrastructure systems for existing development and for reasonable levels of new development permitted under the Issaquah Comprehensive Plan.

PRESENT COST AND ADEQUACY OF GOVERNMENTAL SERVICES AND CONTROLS; PROBABLE FUTURE NEEDS FOR SUCH SERVICES AND CONTROLS; PROBABLE EFFECT OF PROPOSAL OR ALTERNATIVES ON COST AND ADEQUACY OF SERVICES AND CONTROLS; EFFECTS ON FINANCE, DEBT STRUCTURE AND CONTRACTUAL OBLIGATIONS OF ALL AFFECTED GOVERNMENTAL UNITS

The Providence Point/Hans Jensen Area currently receives water and sewer service from the Sammamish Water and Sewer District. Emergency services are provided directly by Eastside Fire and Rescue. King County Provides police services to the area. Issaquah's community centers, recreational facilities, parks, libraries and other services are available to Providence Point/Hans Jensen citizens. Sammamish also offers limited services to the community.

The City of Issaquah reports that the Providence Point/Hans Jensen Annexation would permit future land uses, infrastructure and other public services to be developed in a manner that is consistent with municipal plan, regulations and services. City plans and regulations anticipate future needs for services and establish service controls for its annexation areas, including Providence Point/Hans Jensen. Issaquah representative reported that municipal plans and programs, in combination with other resources, would enable the City to provide all residents with quality, reliable land uses and services. Issaquah has demonstrated, by service to other areas within its jurisdiction, the ability to marshal the technological resources necessary to provide safe, reliable services to all of its customers following the addition of the Providence Point/Hans Jensen Area to the City. Issaquah representative reported that customers reportedly have been satisfied by the providers' level of service, facilities and fiscal structure. Fiscal studies performed for this annexation report that the City would be able to sustain levels of service at reasonable rates. Costs and inefficiencies resulting from lack of public services or services from multiple service providers would be resolved with annexation.

Limiting the annexation to the Providence Point residences and Hans Jensen properties would offer some citizens opportunities to receive services. However, King County would be responsible for governing services to the remaining properties. Annexation of the entire 414-acre Providence Point/Hans Jensen Area would provide the most effective streamlined government services, because

it would facilitate cohesive policies, standards, service amenities, and operations throughout the entire Annexation Area and link this Area to the existing City. This Option provides an opportunity to achieve maximum consolidation of services.

Mr. Thomas reported that King County concurs that Issaquah has basic plans and resources to provide services - including sewer, water, emergency aid, schools, parks and libraries. The City can function efficiently, economically and effectively as a direct provider of services or through contract agreements for services. King County and/or multiple local providers cannot provide equivalent services at a reasonable cost.

City of Sammamish representatives and community members opposing annexation stated that the action could have a deleterious effect on public health and safety. More specifically, these opponents believe that annexation could reduce levels of emergency services for existing residents. For example, the Sammamish Fire Station, which services the area at this time, is closer to the Providence Point/Hans Jensen Area than the Issaquah Fire Station.

Sammamish officials and citizens opposing the proposed action stated that annexation would bring pressure for more development. Speakers testifying in opposition to the annexation reported that new development could require additional infrastructure (e.g., roadways). These opponents contended that there could be a reduction of service levels (e.g., police response time) to the entire area. Some speakers reported that costs for new infrastructure and service improvements required for new development could be a hardship for citizens. The quality of life could deteriorate. Speakers reported that, at this time, citizens are unable to determine whether annexation would benefit residents by improving services, maintaining reasonable costs, and protect the quality of life in the community.

Several community members offered testimony favoring the annexation. They reported that Issaquah has established, working service plans and a strong record of providing services to current Issaquah properties. Some speakers stated that coordinated services would be more consistent and reliable with local controls. Municipal development standards would protect all residents. Cost would be more predictable.

PROSPECT OF GOVERNMENT SERVICE FROM OTHER SOURCES: The record for File No. 2114 supports the finding that the City of Issaquah is the logical service provider for the 414-acre Providence Point/Hans Jensen Area. State and regional guidelines encourage municipalities to provide local services. Issaquah reportedly has resources to provide local services and should be permitted to provide consolidated, convenient, consistent, reliable services to the entire Area. The City of Sammamish is not authorized, under the law, to annex and/or serve this area. There is no other appropriate service provider.

Mr. Thomas attested to the importance of coordinating all public utilities under a single local government to provide responsible, responsive services. He reported that King County is not an appropriate service resource.

Speakers opposing annexation prefer to remain unincorporated or annex to Sammamish.

Residents and other property owners supporting annexation report expectation of benefit from local governance, better services and other advantages as citizens of Issaquah.

OTHER MUNICIPAL SERVICES: File No. 2114 reports that Issaquah currently provides municipal services (e.g., sewer services, water, roads, schools, parks, recreation, libraries) to the entire community. Services are provided either directly or through contractual agreements. The City is proposing to provide similar local services/facilities to Providence Point/Hans Jensen citizens upon annexation to Issaquah.

Issaquah has notified other municipalities and government agencies of the Providence Point/Hans Jensen Area proposal, including the City of Sammamish, King County Office of Regional and Policy Planning, the State Health Department, Fire District, Police Department, School District, Water District and other local and regional agencies. These agencies have not raised any objection to Issaquah's annexation application and/or service plans.

EFFECTS OF PROPOSAL

RCW 36.93.170(3) directs the Board to evaluate issues related to effects of the proposal. For File No. 2114, the Board considered the following issues to be applicable: the effects of the proposal or alternatives on adjacent areas, mutual economic and social interests, and local government structure. Below is a brief review of key issues related to each applicable element.

MUTUAL ECONOMIC AND SOCIAL INTERESTS/LOCAL GOVERNMENT STRUCTURE: The record for File No. 2114 considers effects to economic and social interests and to local government structure. Issaquah staff reports that numerous property owners wish to be annexed to the City in order to develop under municipal regulations and to receive services coordinated by the City of Issaquah. Affiliation with the City would enable citizens to participate in governance of the community - including, service planning, fiscal planning and similar activities. Annexation would begin to build a unified community. Annexation of the entire 414-acre Providence Point/Hans Jensen Area would facilitate immediate opportunities to build a strong social structure throughout the area. A more limited annexation would, in turn, limit the ability to build a unified community.

The City of Sammamish reports that the proposed annexation to Issaquah is divisive because the annexation area has both economic and social connections to the City of Sammamish. Pursuant to RCW 36.93.170(2). Mr Disent and Mayor Romero addressed the potential effects of the annexation upon economic and social interests of Sammamish.

More specifically, Sammamish requires a strong economic base to ensure the viability of this municipality. The City is working to establish its economic foundation through development of a Comprehensive Plan including a Potential Annexation Area. The City must have land available for annexation for both residential uses and commercial land uses. For example, the proposed Annexation Area is located at the gateway to Sammamish and it is a focal point of the community. This route brings people to Sammamish to shop, work, utilize services and to enjoy recreational facilities. As such, the gateway is critical to Sammamish's economic health. The City needs the tax base provided by residents and commercial development in order to provide effective governance and community services. At this time Sammamish generates approximately one million dollars in sales tax each year. The City has been receiving \$2.6 million from the State, but that source of funding will terminate in 2002. Issaquah, in contrast, has a strong and healthy economy. Issaquah does not require new lands to achieve viability. Some of these lands should be reserved for future potential annexation to Sammamish.

Mr. Thomas, King County Office of Regional Policy and Planning, reports that the County supports annexation to develop land and/or obtain municipal services as an action that would support a viable social and economic unit. King County believes that annexation is appropriate under the law and will provide for more efficient, unified services. State law does not support fragmentation of communities. Fragmentation is divisive. Social cohesion and economic health would be improved by a unified service system.

City of Sammamish representative and community members opposing annexation stated that this action may conflict with overall citizen interests. Some opponents testified that annexation is premature because citizens have had no opportunity to compare Issaquah's plans and regulations with Sammamish's plans and regulations; thus, there is no means by which to ensure that Issaquah would ensure more compatible land uses and more effective public service that Sammamish could provide. Some speakers opposing annexation testified that, with an acceptable Comprehensive Plan available both from Sammamish and Issaquah, citizens would be able to determine which community would offer better social and economic programs. Citizens could consider whether they would like to have a central role in forming a new city. Some speakers testified that State and County regulations do not stipulate that annexation must occur at this time.

Community members favoring annexation believe that the City would provide for community services, equitable land use, environmental protection, and reliable accessible services at a reasonable rate of taxation. They wish to participate in community planning for Issaquah. Citizens testified that social and economic benefits would result from joining Issaquah.

OBJECTIVE

The Boundary Review Board has considered RCW 36.93.180 (Objective), as follows:

RCW 36.93.180(1) Preservation of natural neighborhoods and communities

In the record for File No. 2114, the City of Issaquah reports that the proposed Providence Point/Hans Jensen annexation would preserve the natural neighborhood. The entire 414-acre Providence Point/Hans Jensen Area exhibits many features that support a neighborhood affiliation with the City. Providence Point/Hans Jensen and Issaquah demonstrate demographic similarities. The City and the Annexation Area have strong residential bases with compatible density levels. Issaquah has provisions for protection of and public open spaces.

RCW 36.93.180 defines social neighborhoods as natural boundaries. The City and the entire Providence Point/Hans Jensen Area are considered to be a social neighborhood as citizens of both communities use common municipal amenities and services (e.g., schools, roadways, libraries, shopping centers, parks and recreation facilities).

At the time that Issaquah developed its Comprehensive Plan, the City made a commitment to annex Providence Point/Hans Jensen. The City reports that the King County Comprehensive Plan designates the Providence Point/Hans Jensen Area and surrounding municipalities as Urban Areas which permit residential and commercial uses and support public open spaces.

The City of Issaquah Comprehensive Plan guidelines for Providence Point/Hans Jensen Area that are similar to guidelines provided by the County in order to provide coordinated services and amenities and in order to direct growth in the Area. Citizens moving from the unincorporated area into the City of Issaquah would develop their properties under uniform standards, benefit from similar amenities, and receive the same services.

The City has included the Area in planning programs. Annexation will give citizens the opportunity to participate in a greater range of community activities and decisions. Annexation under the Issaquah proposal or the alternative plan offered by Sammamish would provide for stronger links between Providence Point/Hans Jensen and Issaquah. However, under Sammamish's alternative proposal, unincorporated lands will remain in the area, temporarily perpetuating

division of the area. Issaquah's proposal which incorporates the entire Providence Point/Hans Jensen Area, affords the strongest opportunity for a unified community.

City of Sammamish representatives and community members opposing annexation noted that while Providence Point residents generally prefer to annex to Issaquah, few other property owners want to join Issaquah at this time. Several speakers reported that a substantial number of citizens prefer to annex to Sammamish as they feel an affiliation to the city, based upon its nearby location, accessibility, and available shopping and personal services.

Community members opposing annexation stated that many citizens prefer that their properties remain unincorporated for the present. These citizens reportedly are pleased with the quality of life and levels of service available at this time. Opponents believe that premature annexation would have a negative effect upon the neighborhood by encouraging social and physical disintegration of the community. There was testimony that, for example, with annexation new development could occur which would change the character of the community by increasing the density in the area. Speakers contended that taxation rates could increase as well, making it difficult for current residents to remain in the area.

RCW 36.93.180 (2) Use of physical boundaries, including but not limited to bodies of water, highways, and land contours

The record for File No. 2114 defines Providence Point/Hans Jensen as an area that, based upon its physical boundaries, is appropriate for annexation to Issaquah. For example, the Annexation Area is linked to the City of Issaquah by common borders, access routes, by similar physical characteristics, and by nearby Lake Sammamish.

Annexation will allow Issaquah to guide and provide services to existing uses and to new development consistent with municipal laws, plans and programs that address protection of physical characteristics of the land. The record reports that land uses will be regulated and services designed to protect and enhance physical boundaries. For example, the City has established land use regulations and environmental preservation standards for new development. These guidelines will set the framework for the built community (e.g., structures roadways, sewer systems) and the natural environments. These rules are intended to safeguard terrain, vegetation, open spaces, and water bodies.

Annexation of the 414-acre Providence Point/Hans Jensen Area provide an immediate opportunity to develop uniform guidelines to address the physical boundaries of the entire Area. This annexation would enhance a cohesive community as envisioned in the Issaquah Comprehensive Plan. Annexation of the entire area would be fully compliant with the State law and King County Comprehensive Plan.

The Sammamish proposal for annexation of the Providence Point properties and the Hans Jensen properties would incorporate a limited portion of land within the above-described physical boundaries. This more limited annexation is discouraged under State law and the King County Comprehensive Plan. This option would be inconsistent with the City of Sammamish incorporation plan; this plan specifically excluded the Providence Point/Hans Jensen Area.

City of Sammamish representatives and community members opposing annexation stated that the Providence Point/Hans Jensen Annexation Area does not address the Area's proximity to and common physical boundaries with Sammamish. Speakers testified that the Providence Point/Hans Jensen Area is adjacent to the gateway route to Sammamish. There was testimony that the Annexation Area and the City of Sammamish also share physical characteristics (such as similar terrain, vegetation and open spaces). In the opinion of the speakers, these similar characteristics support annexation to Sammamish rather than to Issaquah.

Community members supporting the annexation spoke of recognizing the link to the City that is established in the Issaquah Annexation Area Plan and in various physical connections, such as roadways and open spaces. They wish to join Issaquah in order to enhance the physical connection with the community. With annexation, citizens can participate in the planning for protection and enhancement of physical boundaries.

RCW 36.93.180(3) Creation and preservation of logical service areas

The record for File No. 2114 indicates that annexation of Providence Point/Hans Jensen will create and preserve logical service areas. Issaquah has regulatory authority and responsibility to provide public services to all of its citizens under the King County Comprehensive Plan, the City Comprehensive Plan, and other City plans and regulations (e.g., Comprehensive Sewer and Water Plans, Transportation Element of the Comprehensive Plan, Comprehensive Stormwater Management Plan). Further, annexation would be consistent with the Growth Management Act which establishes cities as governmental units and service providers.

When Issaquah developed its Comprehensive Plan, the City made a commitment to annex and to provide consolidated local services to Providence Point/Hans Jensen. The uniting of the entire unincorporated area within a City's boundaries promotes a logical service area. The City has approved plans (e.g., technological capacity and funding resources) to serve the area. Through direct service programs or through contractual agreements for service, Issaquah will provide emergency aid, utilities, and infrastructure for the Providence Point/Hans Jensen Area.

The Issaquah proposal for annexation would create the most effective service area because the entire 414-acres of land would become a part of the City and receive consolidated municipal services. The Sammamish proposal for a more limited annexation area would exclude a substantial number of properties from the local service area. This option would result in a less efficient and less cohesive service area.

Mr. Thomas, King County, reiterated that annexation is necessary to provide development guidelines and public service requirements for the Providence Point/Hans Jensen Area. Annexation is consistent with the King County Comprehensive Plan and City of Issaquah Comprehensive Plan. Provision of local development guidelines and municipal services is a more reliable and efficient means to address public welfare, health and safety. The City has reasonable financial resources available to provide services. The County has more limited financial resources available to guide growth and provide services to local communities.

City of Sammamish representatives and other speakers opposing annexation reported concerns about the adequacy of City plans and funding for controlling land uses and for providing of municipal services. Several opponents of the annexation testified that, under the Issaquah Plan, new growth could occur in the Area, potentially impacting the quality of life and reducing the effectiveness of services. Some persons testified that fees for service (e.g., development permits, wastewater management) could be substantial and expressed reluctance to pay fees for those services. Some speakers reiterated that annexation should be postponed pending completion of the Sammamish Comprehensive Plan. Several opponents testified that annexation to Sammamish may better support the concept of logical, orderly growth. Some speakers reported that Sammamish may offer a greater commitment to controlling land uses and providing services for Providence Point/Hans Jensen Area.

Citizens favoring annexation report that development and services consolidated under a single, local jurisdiction would support public health and safety. Coordinated services are more convenient for the provider and the customer. Unified services would be more reliable, efficient and cost effective. Citizens can more easily communicate service needs to a local government. Providence Point/Hans Jensen citizens would benefit from becoming a part of the City as access would be available to a variety of amenities.

RCW 36.93.180(4) Prevention of abnormally irregular boundaries

The record for File 2114 reports that the proposed annexation of the Providence Point/Hans Jensen Area would create regular boundaries for the City of Issaquah. City boundaries can be defined as "regular" based upon annexation of lands established for incorporation in the City's Potential Annexation Area Plan.

The City's Potential Annexation Area Plan calls for inclusion of the Providence Point/Hans Jensen Area within Issaquah incorporated boundaries.

Issaquah would prefer to annex the entire Providence Point/Hans Jensen Area in order to create the intended regular boundary in a single, concerted action. The proposed annexation area would facilitate coordinated land uses and offer a more effective, efficient solution to provision of services. King County representatives support this option because it provides for coordinated growth and improvements, as well as streamlined services.

The Sammamish proposal for a more limited annexation would reduce irregular boundaries by adding a portion of the unincorporated area into the City. However irregular boundaries would continue based upon the existence of remaining unincorporated lands. Growth, improvements and services would be fragmented and lacking in coordination.

City of Sammamish representatives and citizens opposing annexation reported that the proposed annexation does not prevent abnormally irregular boundaries as required by this Objective. Sammamish officials stated that the Providence Point/Hans Jensen Area is irregular based upon its peninsular configuration. This peninsula is surrounded by and encroaches into the City of Sammamish. Speakers testified that, further, "irregular" boundaries are reportedly exacerbated as a result of the Issaquah plan to annex properties whose owners do not care to join Issaquah. There was testimony that the more limited annexation proposed by Sammamish does not eliminate irregular boundaries. However, speakers reported that this option would create a smaller incursion into Sammamish and would affect primarily those citizens who have requested annexation to Issaquah.

Citizens favoring annexation understand that the entire Providence Point/Hans Jensen Area is intended for annexation into Issaquah. Many community members are seeking immediate annexation to ensure that the entire Providence Point/Hans Jensen community is included within the City so that uniform governance is provided throughout the Area.

RCW 36.93.180 (5) Discouragement of multiple incorporations

RCW 36.93.180 (5) is not applicable to File No. 2114

RCW 36.93.180 (6) Dissolution of inactive special districts

RCW 36.93.180 (6) is not applicable to File No. 2114

RCW 36.93180(7) Adjustment of impractical boundaries

RCW 36.93.180 (7) RCW 36.93.180 (7) is not applicable to File No. 2114

RCW 36.93.180 (8) Incorporation as cities or towns or annexation to cities or towns of unincorporated areas which are urban in character

The record for File No. 2114 reports that the proposed Providence Point/Hans Jensen Area is urban in character. The definition of the annexation area as "urban" is supported by the State Growth Management Act, the King County Comprehensive Plan, and by the Issaquah Comprehensive Plan.

Issaquah officials have developed policies and general plans to annex urban lands within the City's Comprehensive Plan. Annexation of the entire Providence Point/Hans Jensen Area would enable the addition of the entire unincorporated urban area into Issaquah in keeping with the Growth Management Act and the King County Comprehensive Plan.

The City provides guidelines to permit new urban development consistent with existing levels of urban development in the Providence Point/Hans Jensen Area. Annexation would facilitate uniform, coordinated local governance. Upon annexation, citizens could participate in the planning and implementation of development activities in this Area. Annexation is preferred by a substantial number of citizens of the Providence Point/Hans Jensen Area.

King County and several citizens concurred that Providence Point/Hans Jensen is an urban area. They stated that Providence Point/Hans Jensen Area resident and property owners would benefit from becoming a part of the City. Near term annexation would improve services and provide a stronger connection with the City of Issaquah.

City of Sammamish representatives and other speakers opposing the action reiterated that annexation to Issaquah may be inappropriate and untimely. Citizens stated their concern that, with annexation, there could be new, more urban development. New development could have a negative effect on the community framework and the quality of life in the area.

RCW 36.93.180 (9) Protection of agricultural and rural land which are designated for long term productive agricultural and resource use by a comprehensive plan adopted by the county legislative authority

RCW 36.93.180 (9) is not applicable to File No. 2114 as the Providence Point/Hans Jensen Area does not include or impact any agricultural lands.

CONSISTENCY WITH THE GROWTH MANAGEMENT ACT

State law provides in RCW 36.93.157 that Boundary Review Board decisions must be consistent with three sections of the Growth Management Act:

RCW 36.70A.020 - Planning Goals

RCW 36.70A.110 - Urban Growth Areas
RCW 36.70A.210 - Countywide Planning Policies

With respect to File No. 2114, the key Growth Management issues are defined as the Countywide Planning Policies pertaining to land use and municipal services (RCW 36.70A.020 and RCW 36.70A.110). As prescribed by RCW 36.70A.210, King County has developed Countywide Planning Policies. These policies have been ratified by the cities.

The record for File No. 2114 demonstrates consistency of the proposed annexation with the State of Washington Growth Management Act, King County Comprehensive Plan policies, and the Issaquah Comprehensive Plan. The Growth Management Act policies that guide the provision of public services and that are relevant to the proposed Annexation include:

RCW 36.70A.020 (1) Urban Growth: Encourages development in urban areas where adequate public facilities and services exist or can be provided efficiently.

RCW 36.70A.020 (2) Reduce Sprawl: Reduce inappropriate conversion of undeveloped land into sprawling low-density development.

RCW 36.70A.020 (10) Environment: Calls for protecting and enhancing the environment, quality of life and water availability.

RCW 36.70A.020 (11) Citizens Participation and coordination in the planning processing and ensure coordination between communities/jurisdictions to reconcile conflicts.

RCW 36.70A.020 (12) Public Facilities and services: Ensure that adequate public services and facilities are available to serve land developments.

RCW 36.70A.110 (1/6) Calls for each county to designate an urban growth area.

RCW 36.70A.110 (3) Directs urban growth to areas with existing or available public services and facilities.

RCW 36.70A.110 (4) States that "(in) general, cities are the units of local government most appropriate to provide urban ...services."

RCW 36.70A.210 (1) States that cities are primary providers of urban government services within urban growth areas.

The record for File No. 2114 supports the finding that the Issaquah proposal to annex the entire 414-acre Providence Point/Hans Jensen Area best addresses the Growth Management Act criteria for annexation of unincorporated areas. The Growth Management Act encourages local government to assume responsibility for governing and providing municipal services to land in urban areas. Under Issaquah's proposal, the City could reportedly ensure that appropriate development occurs and that local services are provided to address current needs, provide for future users, and protect the environment.

The Growth Management Act is the guide to the King County Comprehensive Plan. King County Comprehensive Plan Policies address: (a) development within an urban growth area; (b) provision of public facilities and services; and (3)

environmental protection and enhancement. For example, King County Goals LU-11, FW-12, LU-26 and LU-28 support appropriate levels of development in Urban Areas. Other goals support provision of adequate services and facilities to support land uses, to protect public safety, and preserve the environment (e.g., FW-10, FW-12). More specifically, the proposed action would be consistent with King County Comprehensive Plan/Countywide Planning Policies including those directing the County to:

U-201: Work with jurisdictions to support annexations/focus growth within municipal boundaries

U-205: Concentrate facilities and services within the Urban Growth Area

RP-401: Focus countywide growth within city limits boundaries; support annexations within the Urban Growth area when consistent with the King County Comprehensive Plan

Additional King County Comprehensive Plan/Countywide Policies that set criteria for providing public services include FW-13 which states that cities are the appropriate providers, either directly or by contract, of local urban services to Urban Areas. FW-29 and FW-30 address identification and coordination of needed services among jurisdictions. Other relevant general policies ensure a full-range of services, efficient use of facilities, cost-effective services, and development of strong communities (e.g., CO-1, CO-2, CO-3, CO-4, CO-5, CO-6, CO-10, and CO-12). (Please also Comprehensive Plan - Page 3-4).

King County supports the Issaquah proposal for annexation of the entire Providence Point/Hans Jensen Area. Several citizens spoke in favor of annexation and specifically supported annexation of the entire Area.

City of Sammamish representative and other speakers opposing this action stated that the Providence Point/Hans Jensen Area annexation could be destructive to the community as a whole. Some speakers stated that the annexation would be inconsistent with the State Growth Management Act mandate for orderly growth and for consideration of the natural environment (e.g., sloped lands, vegetation, wildlife). Some opponents reported that the annexation would lead to new development, services and infrastructure.

BOUNDARY REVIEW BOARD DISCUSSION AND DELIBERATIONS

The Boundary Review Board conducted a review of the proposed City of Issaquah Providence Point/Hans Jensen Annexation (File No. 2114) based upon the record of written documents and oral testimony. The Boundary Review Board reviewed File No. 2114 with respect to existing state, regional and local legal authorities applicable to the proposed action. The Board focussed upon RCW 36.93 (Boundary Review Board Enabling Act); RCW 36.70A (Growth Management Act); King County Comprehensive Plan/Countywide Policies; City of Issaquah Comprehensive Plans, RCW 35.13 (Annexation of Cities); and other

relevant regulations and guidelines. The Board does not have the authority to alter legal standards. The Board cannot establish new laws or new policies.

Under existing law, the Board has the authority to approve the annexation as proposed if the members determine that the annexation advances the objectives of RCW 36.93 and other applicable regulations. The Board has the authority to consider the request by the City of Issaquah Sammamish to modify the configuration of the annexation boundaries. The Board has the authority to consider other specific changes to boundaries if there is cause to consider such modifications, based upon RCW 36.93.170, RCW 36.93.180 and other state and regional guidelines. Under RCW 36.93, modifications to a city annexation must be consistent with the Potential Annexation Area described in an approved Comprehensive Plan. The Board has the authority to deny the annexation if the members determine that this annexation would be inconsistent with the relevant objectives under RCW 36.93 and other applicable regulations.

Following a review of the record for File No. 2114, the Boundary Review Board finds that the materials submitted pursuant to the City of Issaquah application are sufficient to enable the Board to evaluate the application for action in this matter. Similarly, the materials submitted to the record for File No. 2114 pursuant to the position of the City of Sammamish are sufficient to enable the Board to evaluate the proposed option for action in this matter. Based upon this evaluation, the Board concurred that, on balance, Issaquah has provided convincing documentation that:

The City's annexation proposal is consistent with regulatory authorities of the State of Washington, King County, and the City of Issaquah.

The Providence Point/Hans Jensen Annexation Area is addressed in the City's Comprehensive Plan and described in the Potential Annexation Area for Issaquah. The City is the most appropriate governing unit for the 414-acre Providence Point/Hans Jensen Area.

The City is prepared to provide general governance, development review, and a full range of public facilities and services to the citizens of this area following the proposed annexation.

King County supports annexation. The County cannot serve the area.

The City of Sammamish does not have a Comprehensive Plan in place and, thus, Sammamish is not authorized to annex lands into its corporate boundaries.

Based upon a review of the File No. 2114 record, Boundary Review Board members agreed that the Growth Management Act (RCW 36.70A) supports the annexation of urban lands. RCW 36.70A.110 (1 and 2) encourages development in urban areas and calls for reduction of sprawl. RCW 36.70A.110 (4) states that "(in) general, cities are the units of local government most appropriate to provide urban ...services". RCW 36.70A.110 (3) directs urban growth to areas with existing or available public services and facilities. RCW 36.70A.210 (1) states

that cities are primary providers of urban governmental services within urban growth areas.

Further, the Board concurred that King County's Comprehensive Plan/Countywide Policies support annexations of lands within the urban growth area. Annexations should occur at the earliest feasible date following development of a city's land use plans, service plans, and service resources available. The Plan supports cities as basic governing units/service providers (e.g., FW-13, LU-31, LU-34, LU-36, U-301, U-302, U-304).

The Board conducted an extensive review of File No. 2114 with respect to its central responsibility to consider RCW 36.93.170 Factors and RCW 36.93.180 Objectives. The Board members identified and deliberated upon a range of issues as described herein. The Board members concurred that:

The City of Issaquah's proposal advances RCW 36.93.170 Factors that are applicable and that affect the proposal. These Factors include, but are not limited to: land area and land uses; comprehensive plans, topography and natural boundaries and drainage basins; municipal services; costs and adequacy of services, future needs/controls for services; effect on financial operations; effects on mutual economic and social interests and effects on local governmental structures.

The City of Issaquah Providence Point/Hans Jensen Area annexation proposal advances RCW 36.93.180 (Objective), which calls for preservation of natural neighborhoods. Providence Point/Hans Jensen may reasonably be considered to be a part of the natural neighborhood/community. There is legal support for the definition of a natural neighborhood as "either geographically distinct areas or socially... distinct groups of residents". The connection between the Providence Point/Hans Jensen Area and the City of Issaquah is based upon adjacent locations, similar orientation, like types of development, as well as use of and access to common public services and facilities. This proposal would support neighborhood preservation by integrating Providence Point/Hans Jensen and the City of Issaquah. Citizens of the annexation area report an affiliation with Issaquah. Residents enjoy Issaquah's amenities and utilize municipal services.

The City has already included the area in community planning programs. For example, Providence Point/Hans Jensen is currently designated for low-density and moderate-density residential development; limited commercial development, and public open spaces. The City plans to continue these designations to ensure compatibility with current uses and to achieve consistency with surrounding development in Issaquah. The Providence Point/Hans Jensen annexation will support efficient governance, permitting the City to finalize and implement land use plans (e.g., zoning for residential and commercial areas). With annexation, the residents and other property owners would immediately have a voice and vote in the City of Issaquah.

The City of Issaquah Providence Point/Hans Jensen Area annexation proposal advances RCW 36.93.180 (Objective 2) which calls for use of physical boundaries in determining an appropriate annexation area. This objective is achieved by annexation because the Annexation Area is linked to the City of Issaquah by common boundaries, by access routes, by consistent terrain, and by nearby Lake Sammamish. Annexation will be related to clearly demarcated physical borders.

The City of Issaquah Providence Point/Hans Jensen Area annexation proposal advances RCW 36.93.180 (Objective 3) which calls for annexation boundaries to be based upon logical service areas. The City already services the lands within its municipality boundaries. Annexation in accordance with the Issaquah proposal would allow Issaquah to more completely provide for coordinated local governance and to ensure satisfactory public services and facilities to Providence Point/Hans Jensen properties. The City has demonstrated the availability of resources to provide services. The City of Issaquah can provide various services (e.g., sewers, storm water systems, police, roads) either directly or through service contracts. City recreation facilities, schools, libraries, parks and other amenities would be available as well. These resources are key to a successful annexation. The proposed annexation will facilitate the development of coordinated, logical service area for all citizens.

The City of Issaquah Providence Point/Hans Jensen Area annexation proposal advances RCW 36.93.180 (Objective 4) which calls for an annexation to reflect regular geographical boundaries. Under the City of Issaquah proposal, annexation will be consistent with the Issaquah Comprehensive Plan which establishes boundaries for the annexation. Annexation of the entire 414 acres of land would completely eliminate unincorporated parcels within this Potential Annexation Area.

Annexation under this proposal does not create a geometrically precise boundary, RCW 36.93.180 (Objective 4) does not require such boundaries. The proposed annexation is consistent with a Washington Supreme Court decision (King County V. Boundary Review Board) addressing the resolution of irregular boundaries. A boundary is defined as a "regular" boundary when it is consistent with the Potential Annexation Area for a city. The annexation proposal is consistent with the Potential Annexation Area. Thus the proposed annexation will create regular and practical boundaries.

The City of Issaquah Providence Point/Hans Jensen Area annexation proposal advances RCW 36.93.180 (Objective 8). This objective call for annexation of unincorporated urban areas into municipal jurisdictions. The Providence Point/Hans Jensen Area is defined as an urban area under the State Growth Management Act, the King County Comprehensive Plan and the City of Issaquah's Comprehensive Plan. RCW 36.93.180.

Objective 5,6,7 and 9 are not applicable to the proposed Annexation.

The Boundary Review Board also has an obligation to consider timeliness to ensure orderly transition of an unincorporated area into a municipality. The Board must consider requirements for governance, protection and service of lands.

The Issaquah Comprehensive Plan does have policies that call for annexations to be generated by citizen petition. The Board considered that fact that there are citizens in the potential annexation area who have not signed petitions for annexation. Some citizens have specifically voiced concerns about (or objections to) annexation.

The Board must implement an annexation if it is consistent with the provisions of RCW 36.93 and other applicable laws. In considering the provisions of RCW 36.93.170 and RCW 36.93.180, Board members concurred that the City is clearly authorized to annex Providence Point/Hans Jensen at this time. This Area is established for annexation in the Issaquah Comprehensive Plan as approved by the State of Washington and King County. Annexation provides more effective local governance, support appropriate regulations for land uses and environmental protection, and enables more effective, efficient coordination of public services.

In summary, based upon the record for File No. 2114, the Board members concurred that the City of Issaquah's plan to annex the entire 414-acre Providence Point/Hans Jensen Area offers the most reasonable and viable annexation option for local governance of this Area. The City is prepared to annex and govern the entire Providence Point/Hans Jensen Area. A single action to annex all authorized territory is preferable to incremental annexation.

The City provides substantial documentation that annexation of Providence Point/Hans Jensen is consistent with applicable regulatory authorities. Issaquah has documented plans for governing the Area. Annexation under the Issaquah Providence Point/Hans Jensen proposal will support the City's efforts to finalize and implement land use plans (e.g., zoning, permitted uses, development standards). City officials have developed policies and general plans to provide public services and infrastructure to serve residents of incoming areas. The Board generally concurred that the record provides a reasonable assessment of service plans, likely service impacts and estimated fiscal impacts from the Providence Point/Hans Jensen Annexation. Data indicate that the City of Issaquah has the necessary resources to govern and serve the community. Issaquah will welcome Providence Point/Hans Jensen citizens. Citizens will benefit from annexation to the City of Issaquah.

The Board concurred that the City of Sammamish proposal to limit the annexation to Providence Point properties and Hans Jensen properties would advance few relevant criteria established in RCW 36.93. The proposal also fails

to advance other applicable regulatory guidelines. Fragmented annexations result in unincorporated islands; fragmentation is discouraged by law. Division of the annexation area will likely result in less appropriate governance and service.

The Board also concurred that denial of the annexation would be inconsistent with regulatory authorities that guide Board decision.

CONCLUSION:

The Boundary Review Board concurs that the application by the City of Issaquah to annex the Providence Point/Hans Jensen Area is completed. The City of Issaquah demonstrates that the proposal is consistent with and advances pertinent objectives specified in RCW 36.93.180 and pertinent factors specified in RCW 36.93.170. The City of Issaquah demonstrates that the proposal is consistent with and advances pertinent standards specified in RCW 36.70A - Growth Management Act and pertinent standards specified in the King County Comprehensive Plan/Countywide Policies. The City of Issaquah demonstrates that the proposal is consistent with and advances pertinent standards specified in the City of Issaquah Comprehensive Plan. The City of Issaquah demonstrates that the proposal is consistent with and advances pertinent regulations specified in RCW 35.13 (Annexation of Unincorporated Areas) and other pertinent state and local regulations.

The application is timely based upon the City of Issaquah's current and historical commitment to guide development and provide municipal services to the area. Annexation will enable the City of Issaquah to provide for the health, welfare and safety of its citizens.

Based upon the evidence presented in File No. 2114, the Washington State Boundary Review Board approves the Notice of Intention of the City of Issaquah to Annex the approximately 414- acre portion of land, known as the Providence Point/Hans Jensen Area.

NOW, THEREFORE, BE IT RESOLVED BY THE WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY THAT, for the above reasons, the action proposed in the Notice of Intention contained in said **File No. 2114** be, and the same is, hereby **approved** as described in Exhibits "A" attached hereto and incorporated herein by reference.

ADOPTED BY SAID WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY by a vote of _____ in favor , _____ in opposition, and _____ abstentions, on this 14 day of February, 2002, and signed by me in authentication of its said adoption on said date.

**WASHINGTON STATE BOUNDARY
REVIEW BOARD FOR KING COUNTY**

Roger Loschen, Chair

FILED this _____ day of _____, 2002 **BY:**

Lenora Blauman, Executive Secretary

EXHIBITS

A. Map of Proposed Annexation Area Boundaries

B. Legal Description of Annexation Area